

PROPOSED REPEAL
TITLE 16, SECTION 1717.2 OF THE
CALIFORNIA CODE OF REGULATIONS
DRAFT FOR INFORMATIONAL HEARING

~~1717.2. Notice of Electronic Prescription Files.~~

~~(a) Any pharmacy which establishes an electronic file for prescription records, which is shared with or accessible to other pharmacies, shall post in a place conspicuous to and readily readable by prescription drug consumers a notice in substantially the following form:~~

~~NOTICE TO CONSUMERS:~~

~~This pharmacy maintains its prescription information in an electronic file which is shared by or accessible to the following pharmacies:~~

~~By offering this service, your prescriptions may also be refilled at the above locations. If for any reason you do not want your prescriptions to be maintained in this way, please notify the pharmacist in charge.~~

~~(b) Whenever a consumer objects to his or her prescription records being made accessible to other pharmacies through use of electronic prescription files, it is the duty of the pharmacy to assure that the consumer's records are not shared with or made accessible to another pharmacy, except as provided in Section 1764. The pharmacist to whom the consumer communicated the objection shall ask the consumer to sign a form which reads substantially as follows:~~

~~I hereby notify (name of pharmacy) that my prescription drug records may not be made accessible to other pharmacies through a common or shared electronic file.~~

~~(date)~~

~~(signature of patient)~~

~~(acknowledgment of pharmacist)~~

~~The pharmacist shall date and co-sign the form, and shall deliver a copy thereof to the patient. The original shall be maintained by the pharmacy for three years from the date of the last filling or refilling of any prescription in the name of the consumer.~~

Authority cited: Sections 4008 and 4008.2, Business and Professions Code.
Reference: Sections 4008 and 4008.2, Business and Professions Code.